

LEGISLATURE OF NEBRASKA
NINETY-SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 107

Introduced by Bromm, 23

Read first time January 4, 2001

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Department of Aeronautics; to amend
2 section 3-128, Reissue Revised Statutes of Nebraska; to
3 change powers and duties; and to repeal the original
4 section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 3-128, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 3-128. To safeguard and promote the general public
4 interest and safety, the safety of persons receiving instruction
5 concerning or operating, using or traveling in aircraft and of
6 persons and property on the ground, the interest of aeronautical
7 progress requiring that aircraft operated within this state should
8 be airworthy, that airmen and those engaged in air instruction
9 should be properly qualified, that airports, restricted landing
10 areas and navigation facilities should be suitable for the purposes
11 for which they are designed, the purposes of sections 3-101 to
12 3-154 requiring that the department should be enabled to exercise
13 the powers of supervision herein granted, the advantages of uniform
14 regulations making it desirable that aircraft operated within this
15 state should conform with respect to design, construction and
16 airworthiness to the standards prescribed by the United States
17 Government with respect to civil aircraft subject to its
18 jurisdiction and that persons engaging in aeronautics within this
19 state should have the qualifications necessary for obtaining and
20 holding appropriate airman certificates of the United States, the
21 department is authorized:

22 (1) To recommend airport and restricted landing area
23 sites and to license airports, restricted landing areas or other
24 air navigation facilities, in accordance with rules and regulations
25 to be adopted by the department, and to annually renew such
26 licenses. Licenses granted under this subdivision or under any
27 prior law may be annually renewed. It shall make no charge for
28 approval certificates of proposed property acquisition for airport

1 or restricted landing area purposes,

2 (2) To issue appropriate certificates authorizing
3 qualified individuals to conduct aerial pesticide application
4 operations in this state. To insure safety, training,
5 qualification criteria, financial responsibility requirements, and
6 certificate renewal procedures shall be as prescribed by rules and
7 regulations of the Department of Aeronautics, and

8 (3) To temporarily or permanently revoke any license or
9 certificate of registration of an airman, air school, aerial
10 pesticide applicator, or aeronautics instructor, issued by it, or
11 to refuse to issue any such license or certificate of registration,
12 when it shall reasonably determine that any airman, air school,
13 aerial pesticide applicator or aeronautics instructor is not
14 qualified, has willfully violated the provisions of sections 3-101
15 to 3-154, the rules and regulations prescribed pursuant thereto, or
16 any other statute of this state relating to aeronautics, or any act
17 of Congress or any rule or regulation promulgated pursuant thereto,
18 is addicted to the use of narcotics or other habit-forming drug or
19 the excessive use of intoxicating liquor, has made any false
20 statement in an application for registration of a federal license,
21 certificate or permit, or has been guilty of other conduct, acts or
22 practices dangerous to the public safety and the safety of those
23 engaged in aeronautics. In order to safeguard and promote the
24 general public interest and safety, the safety of persons using or
25 traveling in aircraft and of persons and property on the ground,
26 the interest of aeronautical progress requiring that airports,
27 restricted landing areas, and air navigation facilities be suitable
28 for the purposes for which they are designed, and to carry out the

1 purposes of the State Aeronautics Department Act: The department
2 may recommend airport and restricted landing area sites; license
3 airports, restricted landing areas, or other air navigation
4 facilities; and provide for the renewal and revocation of such
5 licenses in accordance with rules and regulations adopted and
6 promulgated by the department.

7 Sec. 2. Original section 3-128, Reissue Revised Statutes
8 of Nebraska, is repealed.